



Steven L. Beshear  
Governor

Robert D. Vance, Secretary  
Environmental and Public  
Protection Cabinet

Timothy J. LeDonne  
Commissioner  
Department of Public Protection

Commonwealth of Kentucky  
**Public Service Commission**  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
Fax: (502) 564-3460  
psc.ky.gov

Mark David Goss  
Chairman

John W. Clay  
Vice Chairman

Caroline Pitt Clark  
Commissioner

C William Blackburn  
Big Rivers Electric Corporation  
201 Third Street  
P. O. Box 24  
Henderson, KY 42420

January 25, 2008

RE: Case No. 2007-00455

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell  
Executive Director

BOD/tw  
Enclosure



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John W. Clay  
Vice Chairman

Caroline Pitt Clark  
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David Brown  
Stites & Harbison, PLLC  
1800 Providian Center  
400 West Market Street  
Louisville, KY 40202

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Honorable Dennis G. Howard II  
Assistant Attorney General  
Office of the Attorney General Utility & Rate Intervention Division  
1024 Capital Center Drive  
Suite 200  
Frankfort, KY 40601-8204

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Honorable John N. Hughes  
Attorney at Law  
124 West Todd Street  
Frankfort, KY 40601

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Honorable Frank N. King, Jr.  
Attorney at Law  
Dorsey, King, Gray, Norment & Hopgood  
318 Second Street  
Henderson, KY 42420

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Honorable Michael L. Kurtz  
Attorney at Law  
Boehm, Kurtz & Lowry  
36 East Seventh Street  
Suite 1510  
Cincinnati, OH 45202

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Caroline Pitt Clark  
Commissioner

Honorable James M. Miller  
Attorney at Law  
Sullivan, Mountjoy, Stainback & Miller, PSC  
100 St. Ann Street  
P.O. Box 727  
Owensboro, KY 42302-0727

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Honorable Kendrick R. Riggs  
Attorney at Law  
Stoll Keenon Ogden, PLLC  
2000 PNC Plaza  
500 W Jefferson Street  
Louisville, KY 40202-2828

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Vice Chairman

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Commissioner

Honorable Allyson K. Sturgeon  
Attorney at Law  
E.ON U.S. Services, Inc.  
220 West Main Street  
Louisville, KY 40202

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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATIONS OF BIG RIVERS ELECTRIC )  
CORPORATION FOR (1) APPROVAL OF )  
WHOLESALE TARIFF ADDITIONS FOR BIG RIVERS )  
ELECTRIC CORPORATION; (2) APPROVAL OF )  
TRANSACTIONS; (3) APPROVAL TO ISSUE )  
EVIDENCES OF INDEBTEDNESS; AND (4) ) CASE NO.  
APPROVAL OF AMENDMENTS TO CONTRACTS; ) 2007-00455  
AND OF E.ON U.S., LLC, WESTERN KENTUCKY )  
ENERGY CORP. AND LG&E ENERGY MARKETING )  
INC. FOR APPROVAL OF TRANSACTIONS )

ORDER

Notice is hereby given that Justin Clark, the husband of Commissioner Caroline Pitt Clark, is an associate with the law firm of Stoll Keenon Ogden, PLLC ("Firm"). The Firm is counsel of record for E.ON U.S., LLC, Western Kentucky Energy Corp., and LG&E Energy Marketing Inc. in this proceeding. Commissioner Clark requested an advisory opinion from the Executive Branch Ethics Commission to determine whether this relationship created a conflict of interest. In Advisory Opinion 07-35, issued on December 14, 2007, the Kentucky Executive Branch Ethics Commission determined that, "the potential for conflict that exists is far removed and is not substantial."<sup>1</sup> As an added precaution, however, Commissioner Clark is considering the provisions of KRS

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<sup>1</sup> Executive Branch Ethics Commission, Advisory Opinion 07-35, p. 4 (Dec. 14, 2007) (found at <http://www.state.ky.us/agencies/ethics/07-35.doc>).

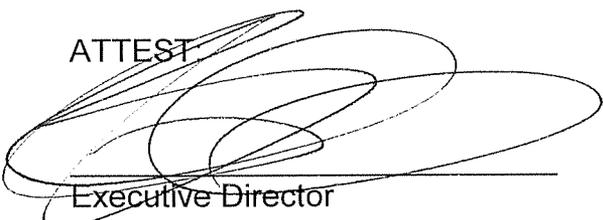
11A.030 in cases, such as this, involving the Firm to determine whether her participation is appropriate. Within 10 days from the date of entry of this Order, any party of record may file any comments or motion relating to Commissioner Clark's participation in this proceeding. Failure to timely file any comments or motion may subsequently be deemed to constitute a waiver of any objection to Commissioner Clark's participation.

IT IS HEREBY ORDERED that any comments or motion regarding Commissioner Clark's participation in this proceeding shall be filed within 10 days from the date of this Order.

Done at Frankfort, Kentucky, this 25<sup>th</sup> day of January, 2008.

By the Commission

ATTEST



Executive Director